1 ERSKINE & TULLEY 2 A PROFESSIONAL CORPORATION MICHAEL J. CARROLL (St. Bar #50246) 3 220 Montgomery Street, Suite 303 San Francisco, CA 94104 4 Telephone: (415) 392-5431 5 Attorneys for Plaintiff 6 7 UNITED STATES DISTRICT COURT 8 NORTHERN DISTRICT OF CALIFORNIA 9 10 11 NORTHWEST ADMINISTRATORS, INC., NO. C 07 3109 MJJ 12 Plaintiff, 13 vs. NOTICE OF VOLUNTARY DISMISSAL 14 EL CAMINO PAVING, INC., a California corporation 15 16 Defendant. 17 18 Notice is hereby given that plaintiff dismisses the above 19 20

entitled action without prejudice pursuant to Federal Rule of Civil Procedure 41, and all dates relating to this case should be taken off the Court's calendar including the hearing on a Case Management Conference set for September 25, 2007 at 2:00 p.m. in Courtroom No. 11,19th Floor, 450 Golden Gate Avenue, San Francisco, CA.

Dated: August 23, 2007

ERSKINE & TULLEY

Michael J. Carrol/ Attorneys for Plaintiff

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PROOF OF SERVICE BY MAIL

I am a citizen of the United States and employed in the City and County of San Francisco, California. I am over the age of eighteen years and not a party to the within above entitled action; my business address is 220 Montgomery Street, Suite 303, San Francisco, California 94104. On August 23, 2007 I served the within NOTICE OF VOLUNTARY DISMISSAL on the defendant in said action, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States post office mail box at San Francisco, California, addressed as follows:

El Camino Paving, Inc. P.O. Box 62319 Sunnyvale, CA 94088

I, SHARON EASTMAN, certify (or declare), under penalty of perjury that the foregoing is true and correct.

Executed on August 23, 2007 at San Francisco, California.

Sharon Eastman(